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Group 3700

## FAX

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To: Larry Schwartz

Company: USPTO

Fax No.: 703-872-9301

Phone No.:

From: Lorraine Schneider

Date: October 16, 2003

Approx. Time:

File No.: FMCV 0116 PUS

Total Pages (w/cover): 209 9

### *Message:*

THE ATTACHED IS A TRUE COPY OF THE ORIGINAL PETITION  
SENT JUNE 25, 2002.

The "Received" Stamp of the Patent  
& Trademark Office imprinted hereon  
acknowledges the filing of:



DESCRIPTION OF PAPER:	PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT		
NAME OF APPLICANT:	Benjamin D. Sweet et al.		
INT'L. OR SERIAL NO.:	09/684,278		
MAILING DATE:	June 25, 2002	ATTY:	RMN/las
FILE NO.:	FMCV 0116 PUS		

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Benjamin D. Sweet et al.

Group Art Unit: 2856

Serial No.: 09/684,278

Examiner: Unknown

Filed: October 6, 2000

For: METHOD AND SYSTEM FOR SEAMLESS TRANSITION BETWEEN  
MULTIPLE FEEDBACK RANGES

Attorney Docket No.: FMCV 0116 PUS / 199-1368

**PETITION TO WITHDRAW  
THE HOLDING OF ABANDONMENT**

Box DAC  
Commissioner for Patents  
United States Patent and Trademark Office  
Washington, D.C. 20231

Sir:

The Petitioner requests withdrawal of the holding of abandonment in the above identified patent application, and further requests re-mailing of the Notice of Allowance and restarting of the reply period. The Notice of Abandonment (copy enclosed) did not identify the date the Notice of Allowance was ostensibly mailed.

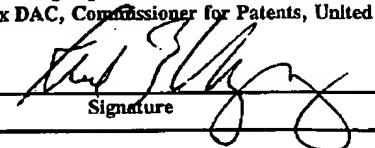
A status inquiry was mailed May 1, 2002 (copy enclosed). Thereafter, the Notice of Abandonment was received (mailed 5/31/2002) and stating that applicant failed to pay the issue fee and publication fee and file formal drawing sheets within three months of a

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**

I hereby certify that this paper, including all enclosures referred to herein, is being deposited with the United States Postal Service as first-class mail, postage pre-paid, in an envelope addressed to: Box DAC, Commissioner for Patents, United States Patent and Trademark Office, Washington, D.C. 20231 on:

June 25, 2002  
Date of Deposit

Ronald M. Nabozny  
Name of Person Signing

  
Signature

U.S.S.N. 09/634,617

Atty. Docket No. 199-0962 / FMC 1244 PUS

Notice of Allowance (no date cited). A significant amount of correspondence mailed by the Office between October 13, 2001, and January 2, 2002, has not been received, and the Notice of Allowance for this application was not received.

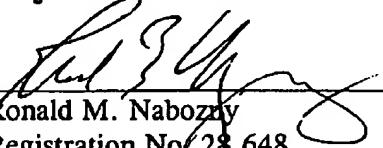
In view of the foregoing, Applicant respectfully requests withdrawal of the Holding of Abandonment and re-mailing of the Notice of Allowance.

The Commissioner is authorized to charge any deficiencies or credit any overpayment in connection with this paper to Deposit Account No. 02-3978. If the Patent Office has any questions regarding this communication, please do not hesitate to telephone the undersigned.

Respectfully submitted,

Benjamin D. Sweet et al.

By:

  
Ronald M. Nabozny  
Registration No. 28,648  
Attorney/Agent for Applicant

Date: June 25, 2002

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
 Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/684,278	10/06/2000	Benjamin David Sweet	FMCV0116PUS/199-1368	1084

7590 05/31/2002

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EXAMINER

VO, HIEU T

ART UNIT

PAPER NUMBER

3754

PH4

DATE MAILED: 05/31/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

66-1111-1  
 66-1111-2



**UNITED STATES DEPARTMENT OF COMMERCE**  
**United States Patent and Trademark Office**  
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
 Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
10-16-03	10/16/03		

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED:

**NOTICE OF ABANDONMENT**

This application is abandoned in view of:

Applicant's failure to timely file a proper reply to the Office letter mailed on \_\_\_\_\_.

A reply (with a Certificate of Mailing or Transmission of \_\_\_\_\_) was received on \_\_\_\_\_, which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.

A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 to the final rejection.  
 (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).

No reply has been received.

Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTO-85).

The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance.

The submitted fee of \$ \_\_\_\_\_ is insufficient. A balance of \$ \_\_\_\_\_ is due.  
 The issue fee required by 37 CFR 1.18 is \$ \_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$ \_\_\_\_\_.

The issue fee and publication fee, if applicable, has not been received.

Applicant's failure to timely file new formal drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).

Proposed new formal drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.

The proposed new formal drawings filed on \_\_\_\_\_ are not acceptable and the period for reply has expired.

No proposed new formal drawings have been received.

The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.

The decision by the Board of Patent Appeals and Interferences rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.

The reason(s) below:

**ABANDONMENT**

**CONTACT PERSON IS:**

**TOM HAWKINS**  
 305-8380

\*U.S. GPO: 2000-472-889/43202

The "Received" Stamp of the Patent  
& Trademark Office imprinted hereon  
acknowledges the filing of:



DESCRIPTION OF PAPER:	ASSOCIATE POWER OF ATTORNEY AND STATUS INQUIRY
NAME OF APPLICANT:	Benjamin D. Sweet et al.
INT'L. OR SERIAL NO.:	09/684,278
MAILING DATE:	5-1-2002
FILE NO.:	ATTY: FAA/las FMCV 0116 PUS

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Attorney Docket No.: FMCV 0116 PUS / 199-1368

STATUS INQUIRY

Commissioner for Patents  
United States Patent and Trademark Office  
Washington, D.C. 20231

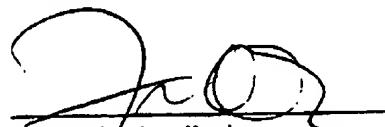
Sir:

Please inform us of the status of the above-identified patent application and as to when we may expect an Office Action from the U.S. Patent and Trademark Office.

Respectfully submitted,

Benjamin D. Sweet et al.

By:

  
Frank A. Angileri  
Reg. No. 36,733  
Attorney/Agent for ApplicantDate: 5-1-02

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5-1-02

Ronald M. Nabozny

Signature